



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Hotchkiss, Cavanaugh, Porter, Mativetsky, Dundon

Introduced by Committee: Finance

ORDINANCE

entitled

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED MAY 22, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,836,000 TO FINANCE CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO THE TERMINAL PUMPING STATION JOINTLY OWNED BY THE CITY OF BINGHAMTON AND THE VILLAGE OF JOHNSON CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000, APPROPRIATING \$3,836,000 TO PAY THE CITY'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF \$3,836,000 BONDS OF THE CITY TO FINANCE SAID APPROPRIATION; AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

WHEREAS, the Council of the City of Binghamton (the "City") recognizes the need to construct improvements and upgrades to the Terminal Pumping Station jointly owned by the City (54%) and the Village of Johnson City (45.2%) (the "Village");

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain (by the favorable vote of not less than two-thirds of all the members of said Council) as follows:

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to construct improvements and upgrades to the Terminal Pumping Station jointly owned by the City and the Village. The estimated total cost of the foregoing, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,000,000. The amount of \$3,836,000 is hereby appropriated by the City to pay the City's local share of such cost, such appropriation having been authorized by the Council pursuant to Ordinance No. ____ . The plan of financing includes the issuance of \$3,836,000 bonds of the City to finance the amount appropriated to pay the City's local share of such cost, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Sewer rents have been imposed in the City pursuant to the City Charter and it is expected that such rents will continue to be imposed and collected by the

City and the amounts derived therefrom shall be budgeted and used as an offset to the taxes to be levied and collected. The \$3,164,000 balance of the cost of the project is to be paid by the Village's expenditure of \$3,164,000 Village funds to pay the Village's local share of the cost of the project, which amount is expected to be financed by the issuance of \$3,164,000 bonds of the Village. All or part of the cost of the project may be financed through the New York State Environmental Facilities Corporation (EFC) State Revolving Fund (SRF) and/or grants, and any authorized officer of the City is hereby authorized to submit an application and perform any other acts necessary to arrange for such financing. Any grant funds received by the City and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the City's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$3,836,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the bonds herein authorized, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made after the effective date of this Ordinance for the purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this Ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution

Section 8. This bond Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "The Press & Sun-Bulletin," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

CERTIFICATE

I, SARAH DINHOFER, City Clerk of the City of Binghamton, in the County of Broome, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Council of said City of Binghamton duly called and held on May 22, 2024, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Council and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract. Such ordinance was approved in writing by the Mayor of the City on _____, 2024 and by the Board of Estimate and Apportionment of the City on _____, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Binghamton this ____ day of _____, 2024.

(SEAL)

City Clerk

LEGAL NOTICE

The ordinance, a summary of which is published herewith, has been adopted by the Council of the City of Binghamton on May 22, 2024. Such ordinance was approved in writing by the Mayor of the City on _____, 2024 and by the Board of Estimate and Apportionment of the City on _____, 2024.

The validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Binghamton, in the County of Broome, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

DATE: May 22, 2024

SARAH DINHOFER
City Clerk, City of Binghamton, New York

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED MAY 22, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,836,000 TO FINANCE CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO THE TERMINAL PUMPING STATION JOINTLY OWNED BY THE CITY OF BINGHAMTON AND THE VILLAGE OF JOHNSON CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000, APPROPRIATING \$3,836,000 TO PAY THE CITY'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF \$3,836,000 BONDS OF THE CITY TO FINANCE SAID APPROPRIATION; AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

The object or purpose for which the bond are authorized is to construct improvements and upgrades to the Terminal Pumping Station jointly owned by such City and the Village of Johnson City.

The total amount of obligations authorized to be issued by the City is not to exceed \$3,836,000. The \$3,164,000 balance of the cost of the project is to be paid by the Village's expenditure of \$3,164,000 Village funds to pay the Village's local share of the cost of the project, which amount is expected to be financed by the issuance of \$3,164,000 bonds of the Village.

The period of probable is forty (40) years.

A complete copy of the Bond Ordinance summarized above shall be available for public inspection during normal business hours at the office of the City Clerk, City of Binghamton, City Hall, 38 Hawley Street, Binghamton, New York.

Dated: May 22, 2024
Binghamton, New York

ESTOPPEL CERTIFICATE

I, Sarah Dinhofer, City Clerk of the City of Binghamton, in the County of Broome, New York (the “City”), HEREBY CERTIFY as follows:

That an ordinance of the City Council of said City entitled:

“BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED MAY 22, 2024, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,836,000 TO FINANCE CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO THE TERMINAL PUMPING STATION JOINTLY OWNED BY THE CITY OF BINGHAMTON AND THE VILLAGE OF JOHNSON CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000, APPROPRIATING \$3,836,000 TO PAY THE CITY'S LOCAL SHARE OF SUCH COST; AND AUTHORIZING THE ISSUANCE OF \$3,836,000 BONDS OF THE CITY TO FINANCE SAID APPROPRIATION; AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE”

was adopted on May 22, 2024 and was approved in writing by the Mayor of the City on _____, 2024 and by the Board of Estimate and Apportionment of the City on _____, 2024. Such ordinance contained an estoppel clause as permitted by Section 80.00 of the Local Finance Law and a notice setting forth substantially the statements referred to in Section 81.00 of the Local Finance Law, together with a summary of such ordinance, was duly published as referred to in said Section 81.00 of the Local Finance Law.

That to the best of my knowledge, no action, suit or proceeding contesting the validity of the obligations authorized by such ordinance was commenced within twenty days from the date of publication of such notice.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this ____ day of _____, 2024.

Sarah Dinhofer, City Clerk
City of Binghamton



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Hotchkiss, Cavanaugh, Porter, Middleton

Introduced by Committee: Rules and Procedures/Special Studies

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 26,
CITY COUNCIL, TO CLARIFY LEGISLATIVE
SIGN OUT PROCESS

WHEREAS, the Council of the City of Binghamton has recommended that the Code of the City of Binghamton, Chapter 26, *City Council*, §26-9, *Discharge of legislation from committee*, be amended; and

WHEREAS, City Council wishes to amend Code of the City of Binghamton accordingly.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 26, Chapter 26, *City Council*, §26-9, *Discharge of legislation from committee*, is hereby amended as follows:

§26-9. Discharge of legislation from committee. [Amended 5-15-1997 by Ord. No. 72-97; 8-4-2003 by Ord. No. 03-93; 4-5-2017 by Ord. No. 17-26; Amended 3-29-2023 by Ord. No. 23-64]

A. Any formal legislation signed out of committee by a majority of committee members, or a majority of members of the Council, shall be first read legislation at one of the next two regular business meetings or a special business meeting for that purpose held within the same timeframe.

B. Any legislation that has been returned to committee, after first read, will automatically be returned to the assigned Council floor for a second reading at the next regular business meeting or special business called for that purpose, unless one or more Council members removes his or her name from the legislation and, as a result, there is no longer a majority of committee members or a majority of Council members who signed the legislation; in which event the legislation will be returned to committee. [Amended 8-21-2006]

C. All second read legislation having and maintaining adequate sponsorship of Council, either signed out of committee by a majority of committee members, or a majority of the members of Council, must be voted upon during second reading.

Section 2. That this ordinance shall take effect immediately.

Introductory No. O24-33

Permanent No. _____

Sponsored by City Council Members: Hotchkiss,
Cavanaugh, Porter, Middleton

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 26,
CITY COUNCIL, TO CLARIFY LEGISLATIVE
SIGN OUT PROCESS

The within Ordinance was adopted by the Council of
the City of Binghamton.

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Kosty				
Councilmember Dundon				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

I hereby certify the above to be a true
copy of the legislation adopted by the
Council of the City of Binghamton at a
meeting held on _____. Approved
by the Mayor on _____.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Hotchkiss, Middleton, Dundon, Mativetsky, Kosty, Cavanaugh

Introduced by Committee: Rules and Procedures/Special Studies

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 307-
35(F), *ADDITIONAL REGULATIONS*, TO
CHANGE VENDING HOURS

WHEREAS, City Council has recommended that the Code of the City of Binghamton, Chapter 307, *Peddling and Soliciting*, subsection 307-35(F), be amended update vending hours; and

WHEREAS, City Council wishes to amend the Code of the City of Binghamton accordingly.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 307, *Peddling and Soliciting*, § 307-35, *Additional regulations*, subsection 307-35 (F) hereby amended and replaced with the language as follows: “F. Vending shall be permitted only between the hours of 6:00 a.m. and 1:00 a.m. the following day.”

Section 2. That this ordinance shall take effect immediately.

Introductory No. O24-37

Permanent No. _____

Sponsored by City Council Members: Hotchkiss,
Middleton, Dundon, Mativetsky, Kosty, Cavanaugh

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 307,
ADDITIONAL REGULATIONS, TO CHANGE
SECTION F VENDING HOURS

The within Ordinance was adopted by the Council of
the City of Binghamton.

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Kosty				
Councilmember Dundon				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on _____. Approved by the Mayor on _____.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Hotchkiss, Middleton, Dundon, Mativetsky

Introduced by Committee: Planning

ORDINANCE

entitled

AN ORDINANCE TO AMEND THE CODE OF
THE CITY OF BINGHAMTON, CHAPTER 410,
ZONING, TO ADDRESS THE BELOW-GRADE
AMENITY SPACES IN MULTI-UNIT
DWELLINGS

WHEREAS, the Planning, Zoning & Historic Preservation Department recommended an amendment to the Code of the City of Binghamton, Chapter 410, Zoning, to address below-grade amenity space in multi-unit dwellings to be more specific about the square footage allowed in each type of amenity space; and

WHEREAS, on February 5, 2024, City Council referred the proposed zoning amendment to the Planning Commission for its review and recommendation; and

WHEREAS, on February 6, 2024, the Planning Commission issued a recommendation regarding the proposed zoning amendment; and

WHEREAS, on April 10, 2024, City Council held a public hearing regarding the proposed zoning amendment.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, *Chapter 410, 410-19 Accessory and Building Uses, Subsection 410-19 (M), Residential Amenity and Assembly Spaces*, is hereby amended to clarify the existing language as follows:

410-19 M. Residential Amenity and Assembly Spaces

When located in residential or mixed-use buildings as accessories to residential use, amenity spaces including fitness centers, common kitchens, and computer rooms, and assembly spaces including lounges, theaters, and billiard rooms, shall be regulated as follows:

- 1) Congregate Living facilities, Multiple-Unit Dwellings, and other properties containing more than 12 total bedrooms shall not contain any assembly spaces or other amenity spaces that are accessory to the residential use below grade, with the exception of structured parking, laundry facilities, and/or storage facilities. Any below-grade laundry or storage facilities shall be proportioned and constructed such that they do not allow an occupancy limit above 10 persons per partitioned space.
- 2) In Congregate Living facilities, Multiple-Unit Dwellings, and properties containing more than 12 total bedrooms, the occupancy limit of any above-grade residential amenity or assembly space shall not exceed 25 persons.
- 3) The occupant load factors for amenity spaces are as follows:

- a. Above and/or below grade laundry rooms shall not exceed 15 square feet per person.
 - b. Above and/or below grade storage rooms shall not exceed 7 square feet per person.
 - c. Above grade amenity space shall not exceed 15 square feet per person.
- 4) Notwithstanding the above, the actual Occupancy Limit shall be determined by the Fire Marshal based on square footage, intended use, and furnishings/equipment, not to exceed the limits above.

Section 2. That this Ordinance shall take effect immediately.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Cavanaugh, Hotchkiss, Mativetsky
Introduced by Committee: Finance

ORDINANCE

entitled

**AN ORDINANCE TO MODIFY ORDINANCES
22-14 AND 22-62**

WHEREAS, on February 9, 2022 City Council adopted Permanent Ordinance O22-14 to amend the 2022 General Fund Budget to allocate American Rescue Plan Act (ARPA) funds for additional Coronavirus expenses and supplies; and

WHEREAS, on April 6, 2022 City Council adopted Permanent Ordinance O22-62 to account for lost revenue of \$964,943 per the ARPA guidelines; and

WHEREAS these ordinances resulted in remaining unused ARPA funds in accounts relating to those ordinances and the Comptroller has requested that City Council move back these unspent funds to be reallocated in the 2024 General Fund budget; and

WHEREAS, such budget amendments were approved by the Board of Estimate and Apportionment on May 22, 2024.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and Acting City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2024 General Fund budget to reallocate funds unspent in O22-14 and O22-62 as follows:

- (i) \$12,592.49 decrease expense budget line A1210.525900.F0015 (CORONA VIRUS EXPENSES)
- (ii) \$12,592.49 decrease revenue budget line A.44089.F0015 (FEDERAL AID-OTHER ARPA)
- (iii) \$339,778.29 decrease revenue budget line A.44089.F0015 (FEDERAL AID-OTHER ARPA LOSS REV)
- (iv) \$339,778.29 decrease revenue budget line A.49999 (FUND BALANCE LOSS REVENUE)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available.

Chuck Shager, Comptroller

Introductory No. O24-41

Permanent No. _____

Sponsored by City Council Members: Cavanaugh,
Hotchkiss, Mativetsky

AN ORDINANCE TO MODIFY ORDINANCES 22-
14 AND 22-62

The within Ordinance was adopted by the Council of
the City of Binghamton.

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Kosty				
Councilmember Dundon				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on _____. Approved by the Mayor on _____.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Dundon, Porter, Middleton, Cavanaugh, Kosty

Introduced by Committee: Public Works and Parks

ORDINANCE

entitled

**AN ORDINANCE TO RESCIND R23-92 AND
O24-28**

WHEREAS, on December 6, 2023 City Council adopted Permanent Resolution R23-92 to accept a grant in the amount of \$500,000 from New York State; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation Environmental Protection Fund resolution requirements are subject to specific language; and

WHEREAS R23-92 did not conform to this language; and

WHEREAS, on April 24, 2024 City Council adopted Permanent Resolution R24-28 to reformat the language in R23-92 to meet these requirements; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation Environmental Protection Fund did not accept this new language.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That City Council hereby rescinds Permanent Resolution R23-92.

Section 2. That City Council hereby rescinds Permanent Resolution R24-28.

Section 3. That this Ordinance shall take effect immediately.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Middleton, Dundon, Porter, Cavanaugh

Introduced by Committee: Municipal and Public Affairs

RESOLUTION
entitled

A RESOLUTION AUTHORIZING THE
BINGHAMTON PRIDE COALITION TO
CONDUCT A FIREWORKS DISPLAY ON
6/8/2024

WHEREAS, pursuant to the Code of the City of Binghamton § 229-2, *Fireworks authorized*, § 235-18, *Fireworks displays*, and New York State Penal Law § 405, it is necessary for the Council of the City of Binghamton to authorize any requested fireworks displays; and

WHEREAS, the Binghamton Pride Coalition has requested to conduct a fireworks display on a floating platform in the Chenango river near Peacemaker Stage on June 8, 2024.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Binghamton Pride Coalition is hereby granted permission to hold a fireworks display on June 8, 2024; and be it further

RESOLVED that this display is subject to approval by the Fire Marshall; and be it further

RESOLVED that the Binghamton Pride Coalition pay all applicable fees, and comply with all safety precautions, road closings, and other requirements and obligations as required by the Code of the City of Binghamton § 229-2, *Fireworks authorized*, § 235-18, *Fireworks displays*, and New York State Penal Law § 405.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Middleton, Dundon, Cavanaugh, Mativetsky, Kosty

Introduced by Committee: Municipal and Public Affairs

RESOLUTION

entitled

A RESOLUTION TO ACCEPT FUNDING FROM
THE BROOME COUNTY DISTRICT
ATTORNEY'S OFFICE FOR THE
INSTALLATION OF CAMERAS TO ENHANCE
PUBLIC SAFETY

WHEREAS, the City of Binghamton is eligible to receive \$66,000 in funding from the Broome County District Attorney's Office to be used for the installation of cameras to enhance public safety; and

WHEREAS, the funds do not require a local match and the funds will be administered by the Chief of Police or his designee.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to execute any and all documents, approved as to form and content by the Office of Corporation Counsel, as may be necessary to accept \$66,000 in funding from the Broome County District Attorney's Office to be used for the installation of cameras to enhance public safety; and be it further

RESOLVED that there is no City match for the acceptance of such funds and that the Chief of Police or his designee shall be the project administrator.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Dundon, Cavanaugh, Kosty, Middleton

Introduced by Committee: Public Works and Parks

RESOLUTION

entitled

A RESOLUTION AUTHORIZING THE MAYOR
TO ACCEPT A GRANT FROM THE NEW YORK
STATE OFFICE OF PARKS, RECREATION, AND
HISTORIC PRESERVATION (NYS OPRHP) FOR
THE ROSS PARK TRAIL PROJECT

WHEREAS, the City of Binghamton applied for and received financial assistance from the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") under Title 9 of the Environmental Protection Act of 1993, which implements the Environmental Protection Fund ("EPF") Act of 1993 in an amount not to exceed \$500,000 for the purpose of funding a project at Ross Park including creating publicly accessible trails and connections to existing pathways, restoring existing pathways, and restoring associated trail infrastructure ("Ross Park Trail Project"); and

WHEREAS, the Grant requires a 25% match in the amount of \$166,666.67, which grant funds will be reimbursable; and pending reimbursement, funding for the project shall be drawn from budget line H7110.55555.PK020; and the grant will be administered by the Director of Planning with the anticipated date of project completion being 2027.

NOW, THEREFORE the Council of the City of Binghamton, duly convened in regular session does hereby:

RESOLVE, that the City of Binghamton is authorized and directed to accept these grant funds in an amount not to exceed \$500,000 for the project described in the grant application; and

RESOLVE, that the City of Binghamton is authorized and directed to agree to the terms and conditions of the State of New York Contract for Grants ("Contract") with OPRHP for such Ross Park Trail Project; and

RESOLVE, that the City of Binghamton is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual(s) who hold(s) the following elected or appointed municipal

office(s) or employment position title(s): Mayor and/or Director of Planning Housing & Community Development.



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: May 22, 2024

Sponsored by Council Members: Dundon, Kosty, Middleton, Cavanaugh, Porter

Introduced by Committee: Public Works and Parks

RESOLUTION

entitled

**A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH
BROWN AND CALDWELL ASSOCIATES**

WHEREAS, the City of Binghamton wishes to enter into a Professional Services agreement with Brown and Caldwell Associates to provide Electronic O&M Manual, Testing and Reporting Protocol Development, EPA Quarterly Reporting, Facility Inspection Plans, Preliminary Master Plan and other project management duties; and

WHEREAS, the estimated cost for such services is not to exceed \$149,855; and

WHEREAS, funding for such services must be drawn from applicable budget lines in the 2024 budget and confirmed by the Board of Contract and Supply and the Comptroller; and

WHEREAS, this term agreement can be renewed yearly for up to three (3) years total at the City's discretion.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into a Professional Services agreement, approved as to form and content by the Office of Corporation Counsel, with Brown and Caldwell Associates to provide Electronic O&M Manual, Testing and Reporting Protocol Development, EPA Quarterly Reporting, Facility Inspection Plans, Preliminary Master Plan and other project management duties not to exceed \$149,855, and funding for such services must be drawn from applicable budget lines in the 2024 budget and confirmed by the Board of Contract and Supply and the Comptroller.

Introductory No. R24-41

Permanent No. _____

Sponsored by City Council Members: Dundon, Kosty,
Middleton, Cavanaugh, Porter

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH
BROWN AND CALDWELL ASSOCIATES

The within Resolution was adopted by the Council of
the City of Binghamton.

Date

City Clerk

Date Presented to Mayor

Date Approved

Mayor

	Ayes	Nays	Abstain	Absent
Councilmember Porter				
Councilmember Middleton				
Councilmember Cavanaugh				
Councilmember Hotchkiss				
Councilmember Mativetsky				
Councilmember Kosty				
Councilmember Dundon				
Total				

Code of the City of Binghamton

Adopted Defeated

____ Ayes ____ Nays ____ Abstain ____ Absent

I hereby certify the above to be a true
copy of the legislation adopted by the
Council of the City of Binghamton at a
meeting held on _____. Approved
by the Mayor on _____.